

## TILTS WITH FORAKER

## Warner Opposes Ohioan in Brownsville Hearing.

## THREE SHOTGUNS LOCATED

Private Taylor Testifies that Company B Owned Them—Another Witness Declares Bullets Came from the Outside Toward the Barracks. Comrades Hid to Escape Shots.

The Brownsville investigation being conducted by the Senate Committee on Military Affairs was continued yesterday by a passage at arms between Senators Foraker and Warner, who are the principal examiners of witnesses for the committee. Mr. Warner was cross-examined by Private Thomas Taylor, of Company B, Twenty-fifth Infantry, one of the men whose gun was identified by the War Department experts as having fired some of the shells picked up in the streets of Brownsville, when Mr. Foraker objected to Mr. Warner repeatedly referring to the fact that the soldier had frequently gone to the saloon opened in Brownsville by a colored man. Mr. Foraker thought it unfair to the witness, as the testimony showed exactly to the contrary.

Mr. Warner retorted that his remark was justified, as the record would show. Mr. Foraker demanded the reading of the stenographer's notes, which confirmed the use of the word "frequently."

## Sharp Debate Follows.

Mr. Warner maintained that his examination of witnesses had been perfectly fair, but Mr. Foraker insisted that his objection was necessary. The Ohio Senator intimated that the Missouriian was attempting to put words into the mouth of the soldier. Senator Warner declared he would not submit to such charges, and asserted that Senator Foraker had been following the rules of evidence any more closely than the other Senators, and he saw no occasion for complaint. The examination then proceeded.

Taylor's examination brought out the fact that Company B owned three shotguns which the soldiers used for gunning when they obtained leave. Previous witnesses had testified that the sound of the firing resembled shots.

Private James W. Wilcox, of Company B, another man whose rifle was named by the experts, corroborated the testimony as to the shotguns. He also testified that the rifle was from outside the barracks, and that he was unable afterward to find the marks of any bullets on the outside of the barracks.

Spotswald, W. Talleferro, sergeant major, Twenty-fifth Infantry, who had been twelve years with that regiment, and was still in it, heard no bullets, although while the firing was going on he had gone from the admiral's building to the Penrose's quarters, thence to the guard-house, and back to Company C barracks—over half a mile.

## Not the Scavenger.

His account of the trouble included hearing in the midst of the firing some one outside the fort yelling three times, "I want all of you!" in a deep bass voice. Under cross-examination he declared it was not the voice of the scavenger, whose iron cart and mule, going on the dead run during the firing, he had mistaken for a Gatling gun.

While Talleferro had always been well treated by the Brownsville people, he was not surprised after the alleged assault on Mrs. Evans by colored soldiers that the trouble came. The evening after all passes had been revoked, and the strategists had been rounded up, Mail Order Mitchell, who came from the post-office about 8 o'clock, had reported a rather excited crowd there. Some one also had told him it was "a good thing the soldiers were ordered in or some one would get killed."

## SULLIVAN WINS BOUT.

Defeats Jack Palmer in Tenth Round at Los Angeles.

Los Angeles, Cal., March 26.—Jack (Twin) Sullivan won a fast fight here to-night from Jack Palmer, in the tenth round.

Sullivan had the best of the match, and in the beginning of the tenth round Palmer's second threw up the sponge.

## Bloomington Wins Again.

The Bloomington Athletic club yesterday defeated the Eckington club in a seven-inning contest at McDuff's field, by 5 to 3. The heavy batting of Brooke and Conover, the good work of Capt. Nichols and Marsden in the outfield, and the backstoppping of Egan were the features of the game. The Bloomingtons will meet the Bethany Baptist Church team at McDuff's field this evening at 8 o'clock. Score:

Bloomington..... R. H. E.  
Eckington..... 0 0 0 0 1-3 3 4  
Batteries: Bloomington, Worley and Egan. Eckington, Brooke and Umbagog.

## Fred Clarke in Left Field.

Pittsburg, March 26.—Capt. Manager Fred Clarke, of the Pittsburg baseball club, will play left field during the coming season instead of managing the team from the bench. The club, which came from Hot Springs last evening and caused great rejoicing among the fans, as Clarke is considered one of the best players in the National League.

## Betts to Umpire at Georgetown.

Manager Joseph L. McLaughlin, of the Georgetown baseball team, announced yesterday that Billy Betts, the local umpire, will officiate at all the "various games." Georgetown is considered fortunate in being able to induce him to umpire the big college games.

## Cornell Wins in Twelfth Inning.

Durham, N. C., March 26.—Cornell defeated Trinity College here to-day in the twelfth inning of an exciting game by 1 to 0. Each team got three hits, while Trinity made two errors to Cornell's one. Batteries: Lovejoy and Hastings; Webb and Wrenn.

## Corcoran vs. Carroll.

In the National Guard gymnasium this evening one of the most interesting games of basketball of the season will be played between the Corcoran and Carroll Institute teams, of the City League. The Corcoran team, by winning, can tie for second place in the race, and defeat means third place, while with the Carroll Institute team defeat means loss of a chance for the championship.

## TRI-STATERS REPORT.

## Williamsport Players Met Manager Wolverton Here Yesterday.

Fourteen members of the Williamsport (Pa.) team of the Tri-State League reported to Manager Harry Wolverton in this city yesterday, preparatory to starting to Lexington, Va., where the team will do spring training stunts for about three weeks.

The team is composed of practically the same players who enabled Williamsport to finish second in the race last year. Manager Wolverton said that he expected the team to be arranged with Roanoke for the season, and that he expected the team to be arranged with Roanoke for the season, and that he expected the team to be arranged with Roanoke for the season.

The team, with Manager Wolverton at the helm, left here at 4:30 o'clock and arrived at Lexington last night. Games have been arranged with Roanoke for April 2 and 3, Lynchburg for April 4 and 5, and Lynchburg for April 6 and 7. The team will play its first championship game on April 24.

## PASS 24 BATTERS.

## Washington A. A. Pitchers Easy for the Georgetown Preps.

The Georgetown Preps played their first game of the season yesterday, and easily defeated the Washington Athletic Association by 15 to 5.

The Washington Athletic Association's pitchers gave 24 batters. The contest was close up to the fifth inning, when the Preps counted eleven times on two singles. Simpson struck out ten of the opposing batters, and allowed but three hits. Murphy carried off the batting honors with three singles.

## Score by Innings:

Preps..... R. H. E.  
Washington..... 0 0 0 1 5 2-14 1  
Batteries: Preps—Simpson, Diamond, and Murphy. Washington—A. A.—Nierue, Norris, and Murphy.

## WILL PLAY ON WHITE LOT

## Departmental League Granted Permission to Use Grounds Again.

Baseball is Satisfactory.

President Roosevelt Assures Col. Brownell that Plan to Encourage Baseball is Satisfactory.

The Departmental Baseball League will be allowed to use the White Lot Ellipse again this year. This means that the league will flourish again this summer, because if it had been denied the privilege there would have been no more baseball in the department.

Speaking of the matter yesterday Col. Brownell, Superintendent of Public Buildings and Grounds, said: "I had a talk with the President a short time ago in regard to the Departmental League using the White Lot Ellipse this summer for baseball games, and he was perfectly satisfied. The privilege is extended to them under the same conditions that were in force last year. The erection of backstops will not be prohibited."

At the close of the Departmental season last year the President did not intend to allow the use of the ellipse for another summer, so the President's decision to permit the league to play again this year is greeted with much enthusiasm by the large number of persons interested in the league.

## PULLIAM'S FATHER DEAD.

## President of the National League Is at Nashville, Tenn.

Secretary John Heydler yesterday received a telegram from Nashville, Tenn., announcing the death of the father of President Pulliam, of the National League.

President Pulliam will come to Washington next week from Nashville to complete the plans for the opening of the National League season. He will go to New York with Secretary Heydler.

## CHICK STAHL RESIGNS.

## Soon Tires of Job as Manager of Boston Americans.

Boston, March 26.—The resignation of Charles Sylvester Stahl as manager of the Boston American baseball team was made public here to-day in dispatches from Louisville, Ky., where the team has been playing a series of exhibition games. Stahl will retain his position as captain, and John I. Taylor, of Boston, owner of the club, will act as manager. The new arrangement was at Stahl's request, as he said worry over his manifold responsibilities interfered with his playing.

## BASEBALL RESULTS.

At New Orleans: R. H. E.  
Yankees..... 0 0 0 1-3 5 1  
Batteries: Yankees—Fitzgerald and Newman; Frank, Mathewson, and Breanahan.

At Jacksonville: R. H. E.  
Jacksonville..... 1 0 0 0 0 0-4 10  
Batteries: Stahl, Shea, and Fuller; McIntyre and Butler.

At Atlanta: R. H. E.  
Yankees..... 0 0 0 0 1 0-11 12  
Batteries: Hughes, Doyle, Griffith, and Kleins; Clarkson and Thomas.

At Port Worth, Tex.: R. H. E.  
St. Louis (National League)..... 3 0 1  
Fort Worth (Texas League)..... 6 4 3  
Batteries: Steele, Brown, and Marshall; Egan and Connor.

## Stephen P. Gurdy Dead.

Special to The Washington Herald.  
Pocomoke City, Md., March 26.—Stephen P. Gurdy, of this place, died yesterday at the Peninsula Hospital, Salisbury, aged fifty-two years. He was a director of the Citizens' National Bank of this place. He is survived by two children.

## Old Overholt

## Whiskey

Has been Famous for Purity Since 1810.

Bottled in Bond Sold Everywhere

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## NEWS OF ALEXANDRIA

## Trial of Wm. Johnson for Murder Begins To-day.

## CITY COUNCIL HOLDS SESSION

Solons Discuss Extension of Illuminating Streets with Electric Lamps. Return Numerous Applications for Are Lights to Committee—Police Trace Stolen Copper Wire.

WASHINGTON HERALD BUREAU.  
(Bell Telephone 113.)  
Corner of Prince and Royal Streets.

Alexandria, Va., March 26.—Difficultly secured a jury for the trial of William Johnson, colored, alias George Midget, who will be arraigned to-morrow morning to answer the charge of first degree murder in connection with the death of Charles T. Smith, last October, is said to be anticipated by court officials and attorneys concerned in the case. A panel of 100 citizens will report. So freely has the case been discussed in all of its details that there are said to be few men in Alexandria who have not formed an opinion concerning the guilt or innocence of the accused. It is understood that Attorneys Robert D. Brumback and Howard W. Smith, counsel for the defense, contemplate the necessity of asking the court for a special venire from some other section of the State.

Under guard of the Fredericksburg military company, Johnson will be brought from the Alexandria County Jail to this city to-morrow morning. After the arraignment of the prisoner, the work of impelling a jury will begin at once. Even should the number of talesmen summoned prove sufficient, it is assured that the selection of the jurors will engage the attention of the court for the greater part of the day. Thereafter the case is expected to proceed with dispatch.

Thus far Johnson's stay in the county jail has been uneventful. No semblance of an indication on the part of any one to molest him has appeared. In fact, owing to the entire lack of public excitement in this city in connection with the case several prominent citizens have expressed surprise that the services of the military were deemed necessary. Many hold that the presence of the troops is an open reflection upon the law-abiding character of the town. It is declared that the unusual measure of calling out soldiers to guard a prisoner was not required by the circumstances in the case, considered from any viewpoint. The local authorities, it is said, are amply able to care for prisoners in such proceedings.

Johnson has appeared taciturn since his incarceration in the county jail, but he stoutly denies that he shot Smith. He asserts that he did not discharge his weapon in the scuffle when he escaped arrest and when Smith was killed. Some time before that, he claims, he fired two shots over his head toward a crowd after he had engaged in a fracas and was running away. In regard to a bullet wound received in his right leg that night he states that he was struck by a shot fired by some one unknown to him as he fled from the fair grounds.

Johnson claims that Smith was probably killed by a negro named Frank Minor, who was with the defendant the evening of the murder and who is now at large. He is wanted here to answer a charge of murderous assault.

## City Council Meets.

A considerable part of the session of the city council this evening was consumed by a discussion on the question of what latitude is to be observed in extending the system of street lighting by electric lamps. The actual net result was the addition of one street lamp to the present list, while numerous applications for are lights were returned to the committee on light after having been reported upon.

An ordinance granting the Southern Railway Company permission to lay a spur track on the east side of Union street, between Cameron and Queen streets, was unanimously passed. The street committee made a report recommending the reduction of the roadway on Cameron street, between Lee and Union streets, from forty-two feet to twenty-seven feet, in acceptance of an offer made by W. S. Smoot, Jr., to bear the expense of placing granite curbing and laying a six-foot sidewalk on each side. The report was adopted. Council had previously appropriated funds for repairing the roadway.

The street committee reported favorably on a resolution to appropriate \$100 to improve the crossings at Fairfax and Franklin streets, which was adopted. The committee on light recommended the placing of an electric arc lamp at the intersection of Princess and Fayette streets, which was ordered. The same committee reported adversely on a resolution to place an arc lamp at the intersection of Cameron and Washington streets. Councilman Williams made a vigorous speech in favor of the measure, notwithstanding the unfavorable recommendation. Chairman Underwood declined to commit in the course of the discussion the relative cost of gas and electricity for lighting purposes came up. Mr. Underwood gave figures relating to each system, but declined to go more fully into the matter. He grounded that it would be impossible to disclose certain things connected with the work in the committee-room.

The matter was finally returned to the committee on light.

A petition was received from property owners on Washington street, between Queen and Wythe streets, for improvements to the roadway on that section of the street, and was referred to the committee on streets and finance. The same action was taken on an ordinance to re-pave King street, from Peyton street to the corporation line, with vitrified brick.

A resolution to appropriate \$25 to repair the roadway and curbing on Prince street, between Lee and Union streets, was referred to the street committee.

A communication was received from A. J. Woodhouse, ordering a man having for its purpose the representation of Alexandria City at the Jamestown Exposition. The matter was referred to the finance committee.

The sum of \$5 for the use of the Cooperative Charities Association was appropriated.

## Mrs. Sarah A. Monroe Dead.

Mrs. Sarah A. Monroe, wife of Michael Monroe, died suddenly last night at her home, 212 Princess street. Death was due to heart trouble. She was thirty-eight years of age. Her husband and one daughter survive her. The funeral will take place Thursday morning at 10 o'clock, from St. Mary's Catholic Church.

## Stolen Wire Found.

Mayor Paff was to-day informed that a large quantity of copper wire, alleged to have been stolen several days ago from the Washington, Alexandria, and Mount Vernon Railway, had been discovered and identified in Baltimore. Local policemen, accompanied by employees of the railway, ascertained the location of the wire, which amounts to 250 pounds. Just as it was about to be reshipped to Philadelphia. They learned that the property

had been forwarded from Alexandria. Mayor Paff referred the matter to Commonwealth's Attorney Samuel G. Brent, who will make an investigation. David Dobson, of Fairfax, is under bond for the action of the Fairfax County grand jury in connection with the case.

Rev. Charles D. Bulla, pastor of the Washington Street Methodist Episcopal Church South, and James E. Alexander, and Frank J. Pollard, official members of the church, today for St. Paul, to attend the annual session of the Baltimore Conference. Several other members of the local church will attend the conference.

Maj. J. E. Sickles, who was reported missing from his home in Alexandria County last Saturday, has returned.

## TAX RATE REDUCED.

## Commissioners Announce Assessment for Prince George County.

Special to The Washington Herald.  
Upper Marlboro, Md., March 26.—The total amount of money levied by the commissioners for conducting the affairs of Prince George County during the year 1907 is \$123,023.34. The total assessment is \$1,553,454, and the tax rate is fixed at 28 cents on the \$100, a reduction of 2 cents over the preceding year. This reduction was made possible by putting upon the books considerable railroad property that has heretofore escaped taxation or been taxed too low, and is also due to the material development of the county, especially in the upper districts near Washington, where suburbs are springing up like mushrooms.

The principal items for which the levy is made are: Public schools, \$77,600; roads and bridges, \$13,500; new bridges constructed in 1906, \$10,000; registration judges and clerks of election, \$5,210.40; interest on bonded indebtedness, \$4,500; sinking fund, \$4,000; lunatic paupers, \$4,000; poor relief, \$2,922.31; clerk of the court, \$2,485.15; almshouse and almshouse deficiencies, \$2,743.36; State's attorney, \$1,500; and warden to jail, \$1,363.20.

## CAPT. SWIFT'S TRIAL BEGINS

## Court-martialed for Letting War Ship Run on Rock.

Commander of Battle Ship Connecticut Charged with Neglect of Duty. Lieut. Yarnell Also Accused.

Special to The Washington Herald.  
Newport News, Va., March 26.—With the booming of a signal gun at 10 o'clock this morning, the court-martial proceedings in the case of Capt. William Swift, of the battle ship Connecticut, began aboard the vessel in Hampton Roads. The sessions of the court are secret and nothing will be given to the public until the findings of the court are filed with the Navy Department. The afternoon session closed at 8 o'clock to-night.

Capt. Swift was in command of the new war ship when she made her maiden trip to the West Indies, and when she was entering Culebra harbor she ran on a submerged rock, sustaining considerable damages.

Lieut. E. H. Yarnell, who was officer of the deck at the time of the accident, was also placed on trial this morning, the charge against the two officers being neglect of duty.

The court which is trying the two officers is composed of Rear Admiral A. S. Snow, president; Rear Admiral C. H. Stockton, Rear Admiral Asa Walker, Rear Admiral Charles S. Sperry, Rear Admiral R. M. Berry, Rear Admiral J. N. Hemphill, Rear Admiral S. M. Askey, Capt. J. P. Merrill, and Capt. E. H. C. Lettuce. Capt. John J. Knapp is the judge advocate of the court, and the recorder is Commander J. J. Knight.

Despite the outbreak of measles among the members of her crew, the new United States ship, Connecticut, which has been in Hampton Roads for some days, sailed to-day for Guantanamo Bay, Cuba, where she will join the other ships of the Atlantic Squadron, under Admiral Evans.

## DR. C. P. SMITH DEAD.

## Hagerstown Veterinarian Passes Away Suddenly of Heart Failure.

Special to The Washington Herald.  
Hagerstown, Md., March 26.—Charles P. Smith, a veterinarian of Hagerstown, died suddenly this evening of heart failure, aged about fifty-five years.

He was a native of Canada, but had been living in Hagerstown for about twenty-three years. He was an expert judge of horses and frequently officiated at horse shows in the East. He had charge of the horse show in connection with the Hagerstown fair last fall. Dr. Smith was a member of the Presbyterian Church at Hagerstown, Lodge of Elks, and the Fraternal Mystic Circle.

He was married to Dr. R. V. Smith, of this city, and of Dr. R. V. Smith, of Frederick, Md.

## LABORER CRUSHED TO DEATH.

## Jacob Emswiler Killed While Digging Foundation for Church.

Special to The Washington Herald.  
Harrisburg, Va., March 26.—Jacob W. Emswiler, a laborer employed in making excavations for the foundation of the new Presbyterian church, was crushed to death this afternoon by being caught under a mass of falling dirt. Emswiler was at work at the bottom of a ten-foot trench with John Dietrich. Dietrich escaped. After nearly an hour's work the body was gotten out.

Emswiler was forty-seven years of age, and leaves a wife who is seriously ill, and ten children.

## Princeton Opens with Victory.

Special to The Washington Herald.  
Norfolk, Va., March 26.—Princeton opened her baseball season here to-day by winning an easy victory over the William and Mary College team by the score of 16 to 1. From the standpoint of quality of baseball the game showed little, as the Virginia collegians showed the need of much practice.

## J. W. Mallonee Wants Divorce.

Special to The Washington Herald.  
Rockville, Md., March 26.—James W. Mallonee, of Kensington, has, through his attorney, Arthur Peter, of Washington, instituted suit in the Circuit Court at this place for an absolute divorce from his wife, Martha A. Mallonee, now a resident of Ellithott City.

## Store Destroyed by Fire.

Special to The Washington Herald.  
Frederick, Md., March 26.—The brick store and dwelling of the property of Thomas Baker, at Franklinville, this county, was destroyed by fire to-day. Only a few articles were saved. The cause of the fire is unknown.

## Cabell in Race for Governor.

Special to The Washington Herald.  
Richmond, Va., March 26.—It is more than probable that Hon. James Alston Cabell, of this city, a former member of the legislature and candidate for lieutenant governor in the last contest, will enter the gubernatorial race.

## KISSES HER COUNSEL

## Mrs. Josephine Kelly Hugs Senator Whyte in Court.

## CLEARED OF MURDER CHARGE

Woman on Trial for Killing Sister Pronounced Not Guilty—Prisoner Takes Stand and Tells Jury How She Fired Husband's Pistol Aimlessly—One Shot Proves Fatal.

Special to The Washington Herald.  
Baltimore, Md., March 26.—When the jury announced that Mrs. Josephine Kelly was not guilty of the murder of her sister, Ida Gaff, she jumped up and threw her arms about her senior counsel, United States Senator William Phipps Whyte, hugged him, and kissed him on the cheek. Tears were streaming down her face. Congressman Harry B. Wolf, the handsome junior counsel, was temporarily absent. The old war horse of Democracy, as soon as he could disengage himself, said:

"You see, I am not too old for the ladies."

During this little scene there were but few dry eyes in the courtroom, and even Judge Dobler, who has sat on many a murder case, looked with sympathetic eyes upon Mrs. Kelly as she poured out her affection for those about her.

Having been declared innocent, the prisoner, accompanied by her husband, then left the courtroom, to be joined by the latter's two sisters. The party afterward left for the Mullikin street home, where the couple will still reside.

The trial was the eightieth homicide case in which Senator Whyte, now eighty-two years old, has appeared. Recently a young lawyer boasted to the veteran of the Maryland bar that he had tried six murder cases and but one of his clients was hanged. Whyte gently retorted: "I have tried sixty and none has been hanged."

## Mrs. Kelly Tells Story.

Mrs. Kelly took the stand in her own behalf to-day and told how she fired the shot that killed her sister on the night of November 8, 1906, in her husband's saloon, at 1626 Mullikin street.

"I came home," she said, "and found Ida there, sitting at a table by the stove. I asked her what she was doing there, and told her to go away. She said she wouldn't go away and she had as much right there as I had. Then I told her again that I meant what I said and she would have to go away. I asked some body to take her away. She picked up this stick and said something about killing me with it, and I ran into the front room, with her after me. I ran behind the bar, and that's all I know."

"Then you began shooting?" asked Senator Whyte.

"I got my husband's revolver some way, and I don't remember shooting."

"What was your intention relative to Ida Gaff?"

"I intended to scare her."

"Did you see her when you shot?"

"I didn't see her."

"How did you shoot—in what direction?"

"I don't know; I just began shooting."

Witness Breaks Down.

Mrs. Kelly broke down and wept as the direct examination ended, and State's Attorney Owens had to wait for her to recover her composure before he could cross-examine her.

"Why did you order Ida Gaff away from your house?" he finally asked.

"Because she was always running after Frank."

"You were jealous, weren't you?"

"No, I wasn't jealous, but I wanted her to keep away."

When Mrs. Kelly returned to her seat beside her counsel, she sobbed completely. Dropping her head on her arms, which rested on the counsel table, she cried and moaned:

"Oh my God, my God!"

She continued to sob and was led away by her friends, still sobbing and with her nerves shattered.

## Husband on Stand.

Mrs. Kelly's husband, the indirect cause of all the trouble, was on the stand just ahead of her. He testified to the main facts as they have been told before. His sister, Madge Wade, and Ida Gaff came to his saloon together while Mrs. Kelly was out. Mrs. Kelly, returning and finding them there, ordered Miss Gaff to leave the house, after demanding of him what she was doing there. Miss Gaff refused to go, saying, with an oath, that she had as much right there as Mrs. Kelly, who said she repeated that she would have to go. After Gaff picked up a heavy piece of molding and ran at Mrs. Kelly, threatening to kill her. Mrs. Kelly threw both hands above her head, exclaiming: "For God's sake, somebody take her away," and ran into the front room. Miss Gaff attempted to follow her, but was caught by Mrs. Wade, and while they were struggling the shots were fired.

"They came like that," said Kelly, slapping his hands together rapidly, "so quick that by the time I got to my wife, who was seven feet away, the pistol was empty."

"You say she ran into the barroom?" asked Mr. Wolf.

"She couldn't run any other way without getting her head knocked off," was the reply. He said that Ida Gaff was excited and angry and had been drinking, and his wife was "scared to death."

## SOLVING KINSEL MYSTERY.

Sleuths Claim to Have Found Clew to Murderer.

Special to The Washington Herald.  
Hagerstown, Md., March 26.—State's Attorney Long returned this evening from Big Pool, where he investigated clews in connection with the disappearance of Martin Kinsel several months ago. A detective, who has been at work on the case for nearly two weeks, has secured information which he claims will result